



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Klaus E. Schauser, *et al.*

Serial No.: 10/709,142

Filed: April 15, 2004

For: *METHODS & APPARATUS FOR
SYNCHRONIZATION OF DATA SET
REPRESENTATIONS IN A BANDWIDTH-ADAPTIVE
MANNER.*

Attorney Docket No.: CXT-091

Group Art Unit: 2661

Examiner: Not Yet Assigned

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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December 10, 2004
Date of Signature and of Mail Deposit

By:

John D. Lanza
John D. Lanza, Esq.
Registration No.
Attorney for Applicants

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Applicants and their Attorney are aware of the following publications and information, listed on the attached PTO Form SB/08, and in accordance with 37 CFR §1.97 hereby submit these publications for the Examiner's consideration. Copies of cited U.S. patents and U.S. publications (Reference ID Nos. A1-A32) are not enclosed with this statement.

This statement is not to be interpreted as a representation that the cited publications are material, that an exhaustive search has been conducted, or that no other relevant information

exists. Nor shall the citation of any publication herein be construed *per se* as a representation that such publication is prior art. Moreover, Applicants understand that the Examiner will make an independent evaluation of the cited publications. Applicants direct the Examiner's attention to U.S. Patent Application No. 10/709,141, filed April 15, 2004.

Under 37 CFR § 1.97(b)(3), no additional costs are believed to be due in connection with the filing of this disclosure. If, however, a first Office Action on the merits issues in this application bearing a mailing date prior to the date of this Information Disclosure Statement, please charge the appropriate fee as required under 37 CFR §1.17(p) to our Deposit Order Account No. 12-0080.

Date: December 10, 2004

Respectfully submitted,
LAHIVE & COCKFIELD, LLP



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| Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | | | Complete if Known | |
| | | | | Application Number | 10/709,142 |
| | | | | Filing Date | April 15, 2004 |
| | | | | First Named Inventor | Klaus E. Schauser |
| | | | | Art Unit | 2661 |
| | | | | Examiner Name | Not Yet Assigned |
| Sheet | 1 | of | 2 | Attorney Docket Number | CXT-091 |

| U.S. PATENT DOCUMENTS | | | | | |
|-----------------------|-----------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
| | | Number-Kind Code ² (if known) | | | |
| | A1 | 6,155,840 | 12-05-2000 | Sallette | |
| | A2 | 6,167,432 | 12-26-2000 | Jiang | |
| | A3 | 2002/0038346 A1 | 03-28-2002 | Morrison, <i>et al.</i> | |
| | A4 | 6,397,036 B1 | 05-28-2002 | Thean, <i>et al.</i> | |
| | A5 | 2002/0073059 A1 | 06-13-2002 | Foster, <i>et al.</i> | |
| | A6 | 6,430,567 B2 | 08-06-2002 | Burridge | |
| | A7 | 2002/0129106 A1 | 09-12-2002 | Gutfreund | |
| | A8 | 6,514,085 B2 | 02-02-2003 | Slattery, <i>et al.</i> | |
| | A9 | 6,567,813 B1 | 05-20-2003 | Zhu, <i>et al.</i> | |
| | A10 | 2003/0140121 A1 | 07-24-2003 | Adams | |
| | A11 | 6,601,087 B1 | 07-29-2003 | Zhu, <i>et al.</i> | |
| | A12 | 2003/0160813 A1 | 08-28-2003 | Raju | |
| | A13 | 2003/0167301 A1 | 09-04-2003 | Zhu, <i>et al.</i> | |
| | A14 | 2003/0167302 A1 | 09-04-2003 | Zhu, <i>et al.</i> | |
| | A15 | 2003/0167303 A1 | 09-04-2003 | Zhu, <i>et al.</i> | |
| | A16 | 2003/0167304 A1 | 09-04-2003 | Zhu, <i>et al.</i> | |
| | A17 | 2003/0167305 A1 | 09-04-2003 | Zhu, <i>et al.</i> | |
| | A18 | 2003/0167339 A1 | 09-04-2003 | Zhu, <i>et al.</i> | |

| FOREIGN PATENT DOCUMENTS | | | | | | |
|--------------------------|-----------------------|---|--------------------------------|--|---|----------------|
| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
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| NON PATENT LITERATURE DOCUMENTS | | | |
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| | | Number-Kind Code ² (if known) | | | |
| | A19 | 2003/0167418 A1 | 09-04-2003 | Zhu, <i>et al.</i> | |
| | A20 | 2003/0182375 A1 | 09-25-2003 | Zhu, <i>et al.</i> | |
| | A21 | 2003/0208529 A1 | 11-06-2003 | Pendyala, <i>et al.</i> | |
| | A22 | 6,654,032 B1 | 11-25-2003 | Zhu, <i>et al.</i> | |
| | A23 | 6,669,485 B2 | 12-30-2003 | Thean, <i>et al.</i> | |
| | A24 | 2004/0002048 A1 | 01-01-2004 | Thurmaier, <i>et al.</i> | |
| | A25 | 2004/0049549 A1 | 03-11-2004 | Slattery, <i>et al.</i> | |
| | A26 | 2004/0103147 A1 | 05-27-2004 | Flesher, <i>et al.</i> | |
| | A27 | 2004/0107249 A1 | 06-03-2004 | Moser, <i>et al.</i> | |
| | A28 | 2004/0107256 A1 | 06-03-2004 | Odenwald, <i>et al.</i> | |
| | A29 | 2004/0111639 A1 | 06-10-2004 | Schwartz, <i>et al.</i> | |
| | A30 | 2004/0174392 A1 | 09-09-2004 | Bjoernsen, <i>et al.</i> | |
| | A31 | 2004/0191748 A1 | 09-30-2004 | Thean, <i>et al.</i> | |
| | A32 | RE38,609 | 10-05-2004 | Chen, <i>et al.</i> | |

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December 10, 2004

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Inventors: Klaus E. Schauser, *et al.*
Filed: April 15, 2004
Our Ref. No.: CXT-091

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Information Disclosure Statement;
2. PTO Form SB/08; and
3. A Return Postcard.

No additional costs are believed to be due in connection with the filing of this Information Disclosure Statement. However, please charge any necessary fees in connection with the enclosed statement to our Deposit Order Account No. 12-0080. For this purpose, a duplicate of this sheet is attached.

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December 10, 2004
Date

John D. Lanza, Esq. Registration No. 40,060

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